

# Summons to attend annual meeting of Full Council



**Date:** Tuesday, 23 May 2017

**Time:** 5.30 pm

**Venue:** The Council Chamber, City Hall, Bristol BS1 5TR

**To: All Members of Council**

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**Issued by:** Ian Hird, Democratic Services

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**Date:** Monday, 15 May 2017



# Agenda

## 1. Welcome and safety information

Members of the public intending to attend the meeting are asked to please note that, in the interests of health, safety and security, bags may be searched on entry to the building. Everyone attending this meeting is also asked please to behave with due courtesy and to conduct themselves in a reasonable way.

Please note: if the alarm sounds during the meeting, everyone should please exit the building via the way they came in, via the main entrance lobby area, and then the front ramp. Please then assemble on the paved area between the side entrance of the cathedral and the roundabout at the Deanery Road end of the building.

If the front entrance cannot be used, alternative exits are available via staircases 2 and 3 to the left and right of the Council Chamber. These exit to the rear of the building. The lifts are not to be used.

Please do not return to the building until instructed to do so by the fire warden(s).

## 2. Apologies for absence

## 3. Election of Lord Mayor

To elect the Lord Mayor for the 2017-18 municipal year.

## 4. Election of Deputy Lord Mayor

To elect the Deputy Lord Mayor for the 2017-18 municipal year.

## 5. Minutes of previous meetings

a. To agree the minutes of the Extraordinary Full Council meeting held on 14 March 2017 as a correct record. **(Pages 5 - 15)**

b. To agree the minutes of the Full Council meeting held on 14 March 2017 as a correct record.



## **6. Declarations of interest**

To note any declarations of interest from the Mayor and councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a disclosable pecuniary interest.

Any declaration of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.

## **7. Lord Mayor's business / announcements**

## **8. Establishment of committees and terms of reference**

To establish and agree the terms of reference of committees.

**(Pages 16 - 61)**

Note: the arrangements set out in this report are subject to changes that may arise from the current constitutional review and any recommendations from the current review of scrutiny arrangements, which will be reported to a future Full Council meeting

## **9. Allocation of committee seats and appointment of members to committees**

To approve the allocation of seats on committees in accordance with the statutory requirements concerning political balance and to approve the appointment of members to serve on committees.

**(Pages 62 - 72)**

Note: the arrangements set out in this report are subject to changes that may arise from the current constitutional review and any recommendations from the current review of scrutiny arrangements, which will be reported to a future Full Council meeting

## **10. Appointment of Statutory Scrutiny Officer**

To appoint the Statutory Scrutiny Officer.

**(Pages 73 - 74)**

## **11. Dates of Full Council meetings 2017-18**

To agree Full Council meeting dates for 2017-18.

**(Pages 75 - 77)**



Signed

A handwritten signature in black ink, appearing to read 'S. Baya', with a period at the end.

Proper Officer  
Monday, 15 May 2017



## Bristol City Council Minutes of the Extraordinary Full Council

14 March 2017 at 6.00 pm



### **Present:**

Jeff Lovell, Lord Mayor; Marvin Rees, Bristol Mayor

**Councillors:** Peter Abraham, Donald Alexander, Lesley Alexander, Nicola Beech, Nicola Bowden-Jones, Harriet Bradley, Mark Bradshaw, Mark Brain, Charlie Bolton, Fabian Breckels, Tom Brook, Clare Champion-Smith, Tony Carey, Craig Cheney, Barry Clark, Jos Clark, Stephen Clarke, Harriet Clough, Eleanor Combley, Asher Craig, Mike Davies, Carla Denyer, Kye Dudd, Richard Eddy, Martin Fodor, Paul Goggin, Geoff Gollop, John Goulandris, Margaret Hickman, Claire Hiscott, Helen Holland, Gary Hopkins, Chris Jackson, Carole Johnson, Steve Jones, Anna Keen, Tim Kent, Gill Kirk, Cleo Lake, Mike Langley, Brenda Massey, Olly Mead, Matt Melias, Graham Morris, Anthony Negus, Paula O'Rourke, Steve Pearce, Celia Phipps, Ruth Pickersgill, Liz Radford, Jo Sergeant, Paul Smith, Clive Stevens, Jerome Thomas, Mhairi Threlfall, Estella Tincknell, Jon Wellington, Mark Weston and Lucy Whittle

**Aldermen:** R Griffey, A Massey, J McLaren

### **1. Welcome and safety information**

The Lord Mayor welcomed all attendees to the meeting, and made a safety announcement in relation to the fire/emergency evacuation procedure.

### **2. Apologies for absence**

Apologies for absence were received from Councillors English, Godwin, Hance, Quartley, Windows and Wright.

### **3. Declarations of interest**

None.



#### 4. The appointment of Recorder of Bristol

The Full Council considered a report recommending the appointment of His Honour Judge Peter Michael Blair QC as the Honorary Recorder of Bristol.

The Lord Mayor moved the appointment of His Honour Judge Peter Michael Blair QC as the Honorary Recorder of Bristol.

Councillor Eddy seconded the nomination.

Upon being put to the vote, it was

**RESOLVED:**

**That His Honour Judge Peter Michael Blair QC be appointed as the Honorary Recorder of Bristol.**

His Honour Judge Peter Michael Blair QC then received his certificate of appointment from the Lord Mayor.

His Honour Judge Peter Michael Blair QC then addressed the Full Council.

The Lord Mayor then concluded the meeting, adding his congratulations to His Honour Judge Peter Michael Blair QC on this appointment.

Meeting ended at 6.15 pm

**CHAIR** \_\_\_\_\_



# Bristol City Council Minutes of the Full Council

14 March 2017 at 6.15 pm



## **Present:**

Jeff Lovell, Lord Mayor; Marvin Rees, Bristol Mayor

**Councillors:** Peter Abraham, Donald Alexander, Lesley Alexander, Nicola Beech, Nicola Bowden-Jones, Harriet Bradley, Mark Bradshaw, Mark Brain, Charlie Bolton, Fabian Breckels, Tom Brook, Clare Champion-Smith, Tony Carey, Craig Cheney, Barry Clark, Jos Clark, Stephen Clarke, Harriet Clough, Eleanor Combley, Asher Craig, Chris Davies, Mike Davies, Carla Denyer, Kye Dudd, Richard Eddy, Martin Fodor, Paul Goggin, Geoff Gollop, John Goulandris, Margaret Hickman, Claire Hiscott, Helen Holland, Gary Hopkins, Chris Jackson, Hibaq Jama, Carole Johnson, Steve Jones, Anna Keen, Tim Kent, Gill Kirk, Cleo Lake, Mike Langley, Brenda Massey, Olly Mead, Matt Melias, Graham Morris, Anthony Negus, Paula O'Rourke, Steve Pearce, Celia Phipps, Ruth Pickersgill, Liz Radford, Jo Sergeant, Afzal Shah, Paul Smith, Clive Stevens, Jerome Thomas, Mhairi Threlfall, Estella Tincknell, Jon Wellington, Mark Weston and Lucy Whittle

**Aldermen:** R Griffey, A Massey, J McLaren

## **1. Welcome and safety information**

The Lord Mayor welcomed all attendees to the meeting, and made a safety announcement in relation to the fire/emergency evacuation procedure.

## **2. Apologies for absence**

Apologies for absence were received from Councillors English, Godwin, Hance, Quartley, Windows and Wright.

## **3. Minutes - Full Council - 21 February 2017 - to be confirmed as a correct record**

On the motion of the Lord Mayor, seconded by Councillor Eddy, it was



**RESOLVED:**

**That the minutes of the meeting of the Full Council held on 21 February 2017 be confirmed as a correct record and signed by the Lord Mayor.**

**4. Declarations of interest**

Councillor Kent advised that, if motion 7 as listed on the agenda (relating to the former ambulance station, Castle Street) was discussed at this meeting, he would declare an interest and leave the meeting for the duration of the Full Council's consideration of this matter.

*(Note: motion 7 was not reached / discussed at the meeting).*

**5. Lord Mayor's business**

The Full Council joined the Lord Mayor in offering their congratulations and best wishes to Cllr Wright and his partner on the recent birth of their daughter.

**6. Public forum (public petitions, statements and questions)**

**Public petitions:**

The Full Council received and noted the following petitions:

Petition PP 01 – “Villiers Road – get a one way street implemented”

Petition organiser – Catrin Parry

Petition PP 02 – “Make Prince Street bridge a cycling and walking bridge”

Petition organiser – Adam Semenenko

Petition PP 03 – “Canford Lane crossing”

Petition organisers – Graham Donald and Nicola Hawkes

Petition PP 04 – “Petition to object to parking charges at Blaise”

Petition organiser – Gill Wilmott

**Public statements:**

The Full Council received and noted the following statements (which were also referred to the Mayor for his consideration/information):

PS 01 - Nigel Donnelly (Unite) – Motion 4 - Britain's last remaining Dam Buster hero





PS 02 - David Redgewell – Temple Quarter

PS 03 - Mark Pepper – Lawrence Weston Neighbourhood Development Plan

PS 04 - Jonathan Ross – Jubilee pool

PS 05 - Nicola Hawkes – Canford Lane crossing

PS 06 - Graham Donald – Canford Lane crossing

PS 07 - Susan Acton-Campbell (Friends of Troopers Hill) – New byelaws for parks and green spaces

PS 08 - Sara Wex (Friends of Jubilee pool) – Jubilee pool

PS 09 - Alderman Royston Griffey – Disposal of the freehold of the docks estate at Avonmouth and Portbury

PS 10 - Christina Biggs (Friends of Suburban Bristol Railways) – MetroWest; devolution; rail electrification

Within the time available, statements were presented by individuals present at the meeting.

#### **Public questions:**

The Full Council noted that the following question had been submitted:

PQ 01 – Disposal of the freehold of the docks estate at Avonmouth and Portbury  
- submitted by Alderman Royston Griffey

The Mayor responded verbally to this question.

### **7. Petitions notified by councillors**

None.

### **8. Lawrence Weston neighbourhood development plan**

The Full Council considered a report recommending the making (approval) of the Lawrence Weston neighbourhood development plan, following the outcome of the local referendum held on 23 February 2017.

Councillor Holland, Cabinet member for Place moved the report and the recommendations set out therein.



Councillor Melias seconded the report

Following debate, it was:

**RESOLVED:**

**That Full Council:**

- 1. Notes the outcome of the referendum on the Lawrence Weston Neighbourhood Development Plan held on 23 February 2017.**
- 2. Makes (approves) the Lawrence Weston Neighbourhood Development Plan.**
- 3. Makes the Lawrence Weston Neighbourhood Development Plan part of the Development Plan for Bristol.**
- 4. Congratulates the members of the Lawrence Weston Neighbourhood Planning Forum on their contribution to place making in Lawrence Weston and on producing the second Neighbourhood Development Plan in Bristol.**

**9. New byelaws for parks and green spaces**

The Full Council considered a report seeking approval of new byelaws for parks and green spaces in Bristol.

Councillor Craig, Cabinet member for Neighbourhoods moved the report and the recommendations set out therein.

Councillor Negus seconded the report.

Following debate, upon being put to the vote, it was

**RESOLVED:**

**That Full Council resolves to:**

- 1. Adopt a new set of byelaws for parks and green spaces as set out at Appendix 1 and in doing so agrees to revoke existing Victorian parks byelaws.**
- 2. Authorise the affixing of the common seal to the byelaws and that they be made to come into force on 28 April 2017.**
- 3. Approve the recommendations given in paragraph 18 following the regulatory notice period.**



**4. Delegate to the Strategic Director - Neighbourhoods authority to manage the byelaws, including (i) designating routes for the purpose of byelaws 12 and 13; (ii) designating areas for the purpose of byelaws 9, 22 and 25; (iii) issuing consents in respect of byelaws 5, 6, 8, 9, 16, 18, 19, 26, 27, 28 and 29.**

## **10. West of England Combined Authority - overview and scrutiny arrangements**

The Full Council considered a report seeking approval of the overview and scrutiny arrangements for the West of England Combined Authority (WECA).

The Lord Mayor advised Full Council of a change to the report recommendations. It was noted that at the WECA meeting held on 1 March 2017, recommendations were made to constituent councils to make nominations to the statutory scrutiny committee and also to give effect to additional voluntary arrangements to include North Somerset. Following representations made to the Mayor, and the need for clarification in relation to North Somerset nominations, the Mayor had agreed that it would be appropriate to defer recommendation 2 of today's report pending resolution of this matter between North Somerset and WECA. Party group leaders had been consulted and were agreeable to this. Therefore, Full Council was at this meeting being asked to approve recommendation 1 as set out in the report; recommendation 2 was deferred.

The Lord Mayor moved the report, as amended above.

Councillor Davies, Deputy Lord Mayor seconded the report, as amended above.

Following debate, upon being put to the vote, it was

### **RESOLVED:**

**1. That Full Council agrees to give effect to the Overview and Scrutiny and Audit Order 2017 and provide nominations to the West of England Combined Authority Overview and Scrutiny Committee and Audit Committee (nominations to be confirmed by the party group whips).**

**2. That it be noted that recommendation 2 as set out in the report has been deferred.**

**ADJOURNMENT** – At this point the Lord Mayor advised that the Full Council meeting would adjourn for a 20 minute refreshment break.

## **11. The Council's Pay Policy Statement for the period 1 March 2017 - 31 March 2018**

The Full Council considered a report seeking approval of the Council's Pay Policy Statement for the period 1 March 2017 – 31 March 2018.



The Lord Mayor moved the report and the recommendation set out therein, for the purposes of enabling a debate to take place.

Cllr Davies, Deputy Lord Mayor seconded the report for the purposes of enabling a debate to take place.

Following debate, upon being put to the vote, it was

**RESOLVED** (47 members voting in favour, 16 against, and with no abstentions):

**That Full Council approves the Pay Policy Statement for the period 1 March 2017 – 31 March 2018.**

## **12. Performance management panel**

The Full Council considered a report seeking approval for the Council's constitution to be amended to provide for a Performance Management Panel.

The Lord Mayor moved the report and the recommendation set out therein, for the purposes of enabling a debate to take place.

Cllr Davies, Deputy Lord Mayor seconded the report for the purposes of enabling a debate to take place.

Following debate, upon being put to the vote, it was

**RESOLVED:**

**That Full Council agrees that the Council's constitution be amended to provide for a Performance Management Panel, as set out in the report.**

## **13. Disciplinary procedures for Chief Executive and Chief Officers**

The Full Council considered a report seeking approval of disciplinary procedures for the Chief Executive and Chief Officers.

The Lord Mayor moved the report and the recommendations set out therein.

Cllr Davies, Deputy Lord Mayor seconded the report.

Upon being put to the vote, it was

**RESOLVED:**



**That Full Council agrees:**

**1. That the Council's Constitution (Part 3, Section 1, Paragraph (j)) be amended to read: *"Confirming the appointment of the Head of Paid Service, the Monitoring Officer and the Chief Financial (Section 151) Officer, and confirming the dismissal of the Head of Paid Service, the Monitoring Officer and the Chief Financial (Section 151) Officer"*.**

**2. That the Terms of Reference of the Human Resources Committee be amended to replace the final two sentences of "Overview" with *"In accordance with the Officer Employment Procedure Rules to act as the Investigating and Disciplinary Committee in relation to the Chief Executive and Chief Officers"*, and the following to be added to "Functions": *"To hear and determine matters of discipline in relation to the Chief Executive and Chief Officers, including taking action up to and including dismissal. Where dismissal is the outcome in relation to the Head of Paid Service, the Monitoring Officer or the Chief Financial (Section 151) Officer the Committee will recommend this to the Full Council for a final decision"*.**

**3. That the membership of the Human Resources Committee be amended to include at least one member of the executive, which is required when it is acting as the Investigating and Disciplinary Committee in relation to the Head of Paid Service, the Monitoring Officer or the Chief Financial (Section 151) Officer.**

**4. That an Independent Panel be established as a committee of the Council appointed under section 102(4) of the Local Government Act 1972 comprising only independent persons (at least two) appointed under Section 28(7) of the Localism Act 2011 for the following purpose: *"To review the decision of the Investigating and Disciplinary Committee to dismiss the Head of Paid Service, the Monitoring Officer or the Chief Financial (Section 151) Officer, and to provide comments on this recommendation to the Full Council for a final decision"*.**

#### **14. Appointment of Local Returning Officer for the West of England Combined Authority mayoral election**

The Full Council considered a report seeking approval of the appointment of the Local Returning Officer for the West of England Combined Authority mayoral election.

The Lord Mayor moved the report and the recommendations set out therein.

Councillor Davies, Deputy Lord Mayor seconded the report.

Following debate, upon being put to the vote, it was

**RESOLVED:**

**That Full Council agrees:**



- 1. That Stephen Hughes remain the interim Returning Officer and Electoral Registration Officer for Bristol City Council until the election for the Combined Authority has been delivered.**
- 2. That Stephen Hughes be appointed as Local Returning Officer for the Combined Authority mayoral election on 4 May 2017.**
- 3. That Deputy Returning Officer appointments be made by the Returning Officer once confirmed in post.**

#### **15. Information report - exceptions to call-in procedure**

The Full Council received a report of the Service Director – Legal and Democratic Services advising Council (as required under the Council’s constitution) that exceptions to the call-in procedure had been made in respect of the following decisions taken at Cabinet:

- Decision taken at Cabinet on 10 January 2017:  
Subject: Temple Quarter Enterprise Zone / Bristol Arena – agreement to terminate the Preconstruction Services Agreement with Bouygues (UK) Limited
- Decision taken at Cabinet on 13 January 2017:  
Subject: Business planning update on companies which the Council wholly own (2017)

#### **RESOLVED:**

**That the report be noted.**

#### **16. Motions**

##### **Motion 1 – Neighbourhood funding**

Councillor Weston moved the following motion:

“This Council is extremely concerned over the recently proposed changes to how neighbourhood funding is to be allocated.

At present, local community small grants (formerly known as wellbeing grants) are apportioned on the strict and fairly straightforward basis of each ward councillor receiving an equal share of available money.

Our concerns are:



- The linking of community small grants to CIL levels. They are very different sources of funding that can be used in very different ways.
- The proposed distribution will benefit a few communities at the expense of others. This is a divisive departure from previous practice.
- The proposed method of spending CIL grants seems top down and dictatorial rather than allowing local methods of developing where councillors make the final decision in a public meeting with the input of local residents.

Council does not agree with these supposed attempts at achieving a more equitable distribution of scarce resources. All communities have local initiatives and projects which are deserving of support and that this spending is meant to assist. These needs are not adequately reflected or protected in the suggested funding mechanisms.

Council opposes the plan to connect CIL to this discretionary spend and rejects the idea of widening the geographical area where this planning gain can be legitimately spent. Such a move undermines the whole rationale behind entirely separate community budgets and damages the entire concept of localism.

Accordingly, Council calls on the Mayor to:-

- Rethink this inequitable model and bring forward proposals to allow greater parity in community small grant levels.
- Remove any linkage between these grants and CIL levels.
- Ensure that the spending of the local portion of CIL monies can only be determined by the communities in which the development has taken place.
- Allow the creation of bespoke local decision making processes that reflect the differences within our communities but still ensure that the voices of local residents are heard.”

Councillor Carey seconded the motion.

Following debate, upon being put to the vote, the motion was LOST (17 members voting in favour, 32 against, and with 16 abstentions).

Meeting ended at 8.37 pm

**CHAIR** \_\_\_\_\_





# Full Council

23 May 2017

**Report of:** Shahzia Daya, Service Director – Legal and Democratic Services

**Title:** **Establishment of committees and terms of reference**

**Ward:** Citywide

**Officer Presenting Report:** Not applicable

**Contact Telephone Number:** 0117 92 22413

## Recommendation

To approve the composition and terms of reference of committees (full recommendations set out in the body of the report).

## Summary

As per above recommendation.

## The significant issues in the report are:

As set out in the main report.

Note: the Overview and Scrutiny Management Board is currently undertaking a review of the Council's scrutiny arrangements. The recommendations from that review, including recommendations on a future scrutiny structure, will be reported to a future Full Council meeting. In the interim, the proposal in this report is that the current scrutiny structure is retained, pending the outcome of the scrutiny review.

In appointing committees, Full Council is asked to note that the arrangements are subject to changes that may arise from the current constitutional review.





## Policy

1. The Full Council must appoint at least one overview and scrutiny committee and such other committees as it considers appropriate to deal with the matters which are neither reserved to the Full Council nor are executive functions.

## Consultation

2. **Internal**  
Party group whips
3. **External**  
Not applicable

## Context

4. See 1. above.

## Proposal: Establishment of committees

### a. Arrangements for Overview and Scrutiny:

5. The Overview and Scrutiny Management Board is currently undertaking a review of the Council's scrutiny arrangements. The recommendations from that review, including recommendations on a future scrutiny structure, will be reported to a future Full Council meeting. In the interim, the proposal in this report is that the current scrutiny structure is retained, pending the outcome of the scrutiny review.

In the interim, the following overview and scrutiny bodies are proposed:

- Overview and Scrutiny Management Board
- Resources Scrutiny Commission
- Neighbourhoods Scrutiny Commission
- People Scrutiny Commission
- Place Scrutiny Commission

As the Overview and Scrutiny Management Board (the Board) will co-ordinate and oversee the work of the scrutiny commissions, its membership needs to include the chairs of the commissions. This report therefore requests Full Council to appoint members to the Board, and, in so doing, to also appoint the Chair of the Board and the chairs of the individual scrutiny commissions.

6. Joint scrutiny: In addition to the scrutiny bodies described above, the Full Council is asked to note that the following joint scrutiny bodies (meetings of which also involve representatives of other relevant authorities) will be continuing/being established:

- Joint Health Scrutiny Committee (interim continuing committee).
- Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Plans – new body established jointly with North Somerset and South Gloucestershire (new committee – see Appendix B for full details)
- West of England Joint Scrutiny Committee (interim continuing committee).
- West of England Combined Authority Overview and Scrutiny Committee and Audit Committee (as per the arrangements agreed at the Full Council meeting held on 14 March 2017).

**b. Regulatory committees:**

7. The Full Council is recommended to establish 4 regulatory committees as follows:
- Development Control Committee A
  - Development Control Committee B
  - Public Safety and Protection Committee
  - Public Rights of Way and Greens Committee

**c. Appeals committee**

8. The Full Council is asked to establish an Appeals Committee.

**d. Other non-executive committees:**

9. The Full Council is asked to consider the appointment of other non-executive committees.
10. It is proposed that the Full Council should approve the establishment of the following committees:
- Audit Committee
  - Human Resources Committee
  - Selection Committee

**e. Performance Management Panel**

11. On 14 March 2017, the Full Council approved the establishment of a Performance Management Panel, to appraise the performance of the Chief Executive and to determine, what, if any level of performance related pay should be awarded to the post holder. The Full Council is therefore asked to establish the panel as per the 14 March decision.

## **f. Statutory committees**

- 12.** The **Licensing Committee** is established as a standing committee and does not have to be re-appointed. Any vacancies must be filled by the Full Council – this task is non-delegable, i.e. only Full Council can decide who will serve on the committee. Members continue to serve on the committee until they either resign or are removed by the Full Council. The appointment of members is a licensing function and as such equalities law applies to it, and the Full Council should fill vacancies having due regard to equalities tests. At agenda item 9, the Full Council will be asked to fill any current vacancies on the Licensing Committee.
- 13.** The **Health and Wellbeing Board** is a statutory function under Section 194 of the Health and Social Care Act 2012. This committee is continuing and therefore the annual re-establishment is not required.

### **Other Options Considered**

Not applicable.

### **Risk Assessment**

Not applicable.

### **Public Sector Equality Duties**

Not applicable.

### **Legal and Resource Implications**

#### **Legal**

As per paragraph 1. above, the Full Council must appoint at least one overview and scrutiny committee and such other committees as it considers appropriate to deal with the matters which are neither reserved to the Full Council nor are executive functions.

(Legal advice provided by Shahzia Daya, Service Director – Legal and Democratic Services)

#### **Financial**

##### **(a) Revenue**

Not applicable

##### **(b) Capital**

Not applicable

#### **Land**

Not applicable

**Personnel**

Not applicable

**RECOMMENDATIONS:**

1. That the following committees be established, noting that the arrangements are subject to changes that may arise from the current constitutional review and any recommendations from the current review of scrutiny arrangements, which will be reported to a future Full Council meeting:

**a. Overview and Scrutiny bodies:**

- Overview and Scrutiny Management Board
- Resources Scrutiny Commission
- Neighbourhoods Scrutiny Commission
- People Scrutiny Commission
- Place Scrutiny Commission

**Joint scrutiny bodies:**

- Joint Health Scrutiny Committee
- Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Plans
- West of England Joint Scrutiny Committee
- West of England Combined Authority Overview and Scrutiny Committee and Audit Committee

**b. Regulatory committees:**

- Development Control Committee A
- Development Control Committee B
- Public Safety and Protection Committee
- Public Rights of Way and Greens Committee

**c. Appeals Committee**

**d. Other (non-executive) committees:**

- Audit Committee
- Human Resources Committee
- Selection Committee

**e. Performance Management Panel**

**f. Statutory committees:**

- To note the position in relation to the Licensing Committee (at agenda item 9, the Full Council will be asked to fill the current vacancies on the committee).
- To note that the Health and Wellbeing Board does not need to be formally re-

**established as it remains extant.**

- 2. That the terms of reference of committees as set out in the appendices be approved.**
- 3. That the Chairs of the Overview and Scrutiny commissions be appointed, i.e. the chairs of the:**
  - **Overview and Scrutiny Management Board**
  - **Resources Scrutiny Commission**
  - **Neighbourhoods Scrutiny Commission**
  - **People Scrutiny Commission**
  - **Place Scrutiny Commission**
- 4. That the members of the Overview and Scrutiny Management Board be appointed, to include the chairs of the scrutiny commissions referred to in 3. above.**

**Appendices:**

Appendix A – Terms of reference of committees

Appendix B – Details / terms of reference re: Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Plans

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:** None

## **TERMS OF REFERENCE OF COMMITTEES**

Each committee has delegated authority to undertake all responsibilities and actions falling within its terms of reference.

### **COMMITTEE TERMS OF REFERENCE:**

#### **A. OVERVIEW AND SCRUTINY COMMITTEES**

##### **OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

###### **Terms of Reference**

###### **Functions**

In accordance with legislation (Local Government Act 2000, Health and Social Care Act 2001, NHS Act 2006, Police and Justice Act 2006, Flood and Water Management Act 2010, Localism Act 2011, Health and Social Care Act 2012) the Board will meet at least quarterly to discharge the council's overview and scrutiny function, including but not limited to the following:

###### **General**

1. Overview and scrutiny of strategic priorities and policy, including the council's budget, spending plans and policy framework and review of their impact on service delivery and outcomes for people in Bristol.
2. Work with, inform and hold the Mayor/Executive to account in relation to the development, implementation and review of strategic priorities and policy.
3. Review and scrutinise decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.
4. Make reports and recommendations to Full Council, the Mayor/Executive and/or any "Other Body" on matters within their remit and on matters which affect the authority's area or the inhabitants of that area.

5. Develop the external focus of overview and scrutiny on 'city-wide issues' (and where appropriate sub regional, regional and national issues), in particular through collaborative work with local partner authorities, providers, stakeholders and members of the public.
6. Work with joint scrutiny committees, scrutinise the work and effectiveness of partners, where the powers of scrutiny allow, and other local strategic partnerships.
7. Scrutinise governance arrangements at strategic and local level to ensure these are fit for purpose and deliver good decision making, accountability, transparency and involvement
8. Consider organisational performance and commission performance reviews through the relevant scrutiny commissions.

### Management Function

9. To manage, develop and champion the overview and scrutiny function of the Council:
  - As a vehicle, to provide constructive challenge, public accountability and improved outcomes for people in Bristol.
  - As a forum, to consider evidence and different views and opinions and respond to public priorities.
  - To promote confidence and greater involvement in local democracy.
  - To set the overall scrutiny work programme, oversee the work programme of each of the Commissions and ensure the effective co-ordination of those programmes within the ten meetings per year allocated to each Commission (to include select committees, sub-committees, working groups and any other forms of scrutiny that may be established by virtue of the Overview and Scrutiny Procedure Rules).
  - To consider requests for scrutiny reviews under the Councillor Call for Action process.

To review and evaluate the effectiveness of the overview and scrutiny function and make recommendations to full Council and propose any changes to the Constitution as necessary.

### **B RESOURCES SCRUTINY COMMISSION**

#### **Terms of reference**

##### **Overview**

The role of the commission is the overview and scrutiny of matters relating to the Resources Directorate including the councils business change programme, ICT, legal, financial and HR services.

##### **Functions**

1. To ensure that overview and scrutiny directly responds to corporate and public priorities, is used to drive service improvement, provides a focus for policy development and engages members of the public, key stakeholders and partner agencies.
2. To develop an annual work programme within the total of ten meetings per year allocated to the Commission which concentrates on limited areas for in depth review (including the use of time limited task and finish groups to facilitate this e.g. Select Committees, Working Groups, Inquiry Days) using the following framework:
  - (a) Scrutiny of corporate plans and other major plan priorities with particular reference to those areas where targets are not being met or progress is slow;
  - (b) Input to significant policy developments or service reviews;



- (c) Review and scrutiny of decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Mayor/Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.
3. To make reports and recommendations to Full Council, the Mayor/Executive and/or any other body on matters within their remit and on matters which affect the authority's area or the inhabitants of that area and to monitor the response, implementation and impact of recommendations.
  4. To work in collaboration with the Mayor/relevant Executive Member and receive updates from that member on key policy developments, decisions taken or to be taken and progress against corporate priorities.
  5. To report on a quarterly basis to the Overview and Scrutiny Management Board on progress against the work programme and on any recommendations it makes.
  6. To develop a budget review process and ensure that budget proposals are subject to rigorous challenge

## **C PEOPLE SCRUTINY COMMISSION**

### **Terms of reference**

#### **Overview**

The role of the commission is the overview and scrutiny of matters relating to the People Directorate. including care provision, child and family support, education and skills, health (including the statutory health function) and strategic commissioning

#### **Functions**

1. To ensure that overview and scrutiny directly responds to corporate and public priorities, is used to drive service improvement, provides a focus for policy development and engages members of the public, key stakeholders and partner agencies.

2. To develop an annual work programme within the total of ten meetings per year **allocated to the commission which** concentrates on limited areas for in depth review (including the use of time limited task and finish groups to facilitate this e.g. Select Committees, Working Groups, Inquiry Days) using the following framework:
  - (a) Scrutiny of corporate plans and other major plan priorities with particular reference to those areas where targets are not being met or progress is slow;
  - (b) Input to significant policy developments or service reviews;
  - (c) Review and scrutiny of decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.
3. To make reports and recommendations to Full Council, the Mayor/Executive and/or any other body on matters within their remit and on matters which affect the authority's area or the inhabitants of that area and to monitor the response, implementation and impact of recommendations.
4. To work in collaboration with the Mayor/relevant Executive Member and receive updates from that member on key policy developments, decisions taken or to be taken and progress against corporate priorities.
5. To report on a quarterly basis to the Overview and Scrutiny Management Board on progress against the work programme and on any recommendations it makes.

## **D PLACE SCRUTINY COMMISSION**

### **Terms of Reference**

#### **Overview**

The role of the commission is the overview and scrutiny of matters relating to the Place Directorate including property,

planning and place strategy, highways and transport management development and regeneration, and the statutory flood risk management scrutiny function.

### Functions

1. To ensure that overview and scrutiny directly responds to corporate and public priorities, is used to drive service improvement, provides a focus for policy development and engages members of the public, key stakeholders and partner agencies.
2. To develop an annual work programme **within the total of ten meetings per year allocated to the Commission which** concentrates on limited areas for in depth review (including the use of time limited task and finish groups to facilitate this e.g. Select Committees, Working Groups, Inquiry Days) using the following framework:
  - (a) Scrutiny of corporate plans and other major plan priorities with particular reference to those areas where targets are not being met or progress is slow;
  - (b) Input to significant policy developments or service reviews;

Review and scrutiny of decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.

3. To make reports and recommendations to Full Council, the Mayor/Executive and/or any other body on matters within their remit and on matters which affect the authority's area or the inhabitants of that area and to monitor the response, implementation and impact of recommendations.
4. To work in collaboration with the Mayor/relevant Executive Member and receive updates from that member on key policy developments, decisions taken or to be taken and progress against corporate priorities.

5. To report on a quarterly basis to the Overview and Scrutiny Board on progress against the work programme and on any recommendations it makes.

### E NEIGHBOURHOODS SCRUTINY COMMISSION

#### Terms of reference

##### Overview

The role of the commission is the overview and scrutiny of matters relating to the Neighbourhoods Directorate including environment and leisure, housing delivery, crime and disorder (including the statutory scrutiny function), recycling, waste and environmental issues, neighbourhoods, integrated customer services and public health.

##### Functions

1. To ensure that overview and scrutiny directly responds to corporate and public priorities, is used to drive service improvement, provides a focus for policy development and engages members of the public, key stakeholders and partner agencies.
2. To develop an annual work programme **within the total of ten meetings per year allocated to the commission which** concentrates on limited areas for in depth review (including the appointment of time limited task and finish groups to facilitate this e.g. Select Committees, Working Groups, Inquiry Days) using the following framework:
  - (a) Scrutiny of corporate plans and other major plan priorities with particular reference to those areas where targets are not being met or progress is slow;
  - (b) Input to significant policy developments or service reviews;
  - (c) Review and scrutinise decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.

3. To make reports and recommendations to Full Council, the Mayor/Executive and/or any other body on matters within their remit and on matters which affect the authority's area or the inhabitants of that area and to monitor the response, implementation and impact of recommendations.
4. To work in collaboration with the Mayor/relevant Executive Member and receive updates from that member on key policy developments, decisions taken or to be taken and progress against corporate priorities.
5. To report on a quarterly basis to the Overview and Scrutiny Management Board on progress against the work programme and on any recommendations it makes.

### **F JOINT HEALTH SCRUTINY COMMITTEE**

#### **Terms of Reference**

#### **Functions**

1. Where more than one local authority is consulted by a local NHS body in respect of any proposal, which it has under consideration for the substantial development of the health service or the substantial variation of such service, to review and scrutinise such proposal jointly with any other local authority so consulted.
2. Where a matter is referred to it by Healthwatch to consider whether to exercise any powers in relation to the matter, taking into account information supplied by Healthwatch.
3. Where more than one local authority has an interest in the planning, provision and operation of health services which cross geographical boundaries, to review and scrutinise any such matters jointly with any such other local authority.
4. To require the local NHS body to provide information about the proposal under consideration and where appropriate to require the attendance of a representative of the NHS body to answer such questions as appear to it to be necessary for the discharge of its function in connection with the consultation.

5. To prepare a report to the health body and the participating local authorities, setting out any comments and recommendations on any matter reviewed or scrutinised.
6. To report to the Secretary of State in writing where it is not satisfied that consultation on any proposal referred to in paragraph (1) has been adequate in relation to the content or time allowed.
7. To report to the Secretary of State in writing in any case where it considers that the proposal referred to in paragraph 1 above would not be in the interests of the health service in the area of the joint committees participating local authorities.

### **G WEST OF ENGLAND JOINT SCRUTINY COMMITTEE**

#### **Terms of reference**

To be concerned with the aspects of the Local Enterprise Partnership (LEP) that relate to public funding and resources.

Within the LEP structure, the committee shall:

- Scrutinise any relevant proposals from the Joint Transport Executive Committee, Planning Housing and Communities Board and the stakeholder group in relation to the activities outlined in their terms of reference.
- Scrutinise other relevant proposals related to public funding and resources made from the Local Enterprise Board and the Skills sub-group.
- Review actions taken and decisions made by these bodies related to public funding and resources.
- Make reports or recommendations to these bodies, as appropriate and/or the constituent authorities' respective Overview and Scrutiny committees or equivalent.
- Scrutinise the activities of private sector companies, recognising that the private sector is not under the same obligation to appear in public or have regard to recommendations made by a scrutiny committee in the same way that public service providers are required to do so.

Note: this committee will normally meet jointly with the equivalent scrutiny bodies of the other local authorities within the West of England Partnership area.

## **B. REGULATORY COMMITTEES:**

### **DEVELOPMENT CONTROL COMMITTEES**

#### **Terms of Reference**

#### **Arrangements**

There are two Development Control Committees:

- **Development Control Committee “A”**
- **Development Control Committee “B”**

Each Development Control Committee shall have full authority to deal with all development control matters reserved to a Development Control Committee by virtue of this consultation.

#### **Functions**

Full Council has delegated to the Development Control Committees all functions relating to town and country planning and development control as specified in Regulation 2 and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) under the following provisions and any related secondary legislation:

1. Power to determine applications for planning permission (section 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8)).
2. Power to determine applications to develop land without compliance with conditions previously attached (section 73 of the Town and Country Planning Act 1990).
3. Power to grant planning permission for development already carried out (section 73(A) of the Town and Country Planning Act 1990).
4. Power to decline to determine application for planning permission (section 70A of the Town and Country Planning Act 1990).
5. Duties relating to the making of determinations of planning applications (Sections 69, 76 and 92) of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure Order 1995) (S.I. 1995/419 and directions made thereunder).



6. Power to determine application for planning permission made by a local authority, alone, or jointly with another person (section 316 of the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)).
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights (Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995).
8. Power to enter into agreement regulating development or use of land (Section 106 of the Town and Country Planning Act 1990).
9. Power to issue a certificate of existing or proposed lawful use or development (Section 191(4) and 192(2) of the Town and Country Planning Act 1990).
10. Power to serve a completion notice (Section 94(2) of the Town and Country Planning Act 1990).
11. Power to grant consent for the display of advertisements (Section 220 of the Town and Country Planning (Control of Advertisements) Regulations 1992).
12. Power to authorize entry onto land (Section 196A of the Town and Country Planning Act 1990).
13. Power to require the discontinuance of a use of land (Section 102 of the Town and Country Planning Act 1990).
14. Power to serve a planning contravention notice, breach of condition notice or stop notice (Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990).
15. Power to issue a temporary stop notice (Section 171 of the Town and Country Planning Act 1990).
16. Power to issue an enforcement notice (Section 172 of the Town and Country Planning Act 1990).
17. Power to apply for an injunction restraining a breach of planning control (Section 18 7B of the Town and Country Planning Act 1990).
18. Power to determine applications for hazardous substances consent and related powers (Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10)).
19. Duty to determine conditions of which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites or mineral permissions relating to mining sites, as the case may be, are to be subject (paragraph 2(6)(a) of Schedule 2 of the Planning and Compensation Act 1991, paragraph 9(6) of the Schedule 13 of the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act).

20. Power to require proper maintenance of land (section 215(1) of the Town and Country Planning Act 1990).
21. Power to determine application for listed building consent and related powers (sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9).
22. Power to determine applications for conservation area consent (section 16(1) of the Planning (Listed Buildings and Buildings in Conservation Areas Act 1990, as applied by section 74(3) of that Act).
23. Duties relating to applications for listed building consent and conservation area consent (sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regs 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 S.I. 1990/1519) and paragraphs 8, 15 and 26 of the Department of Environmental, Transport and the Regions circular 01/01).
24. Power to serve a building preservation notice and related powers (sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
25. Power to issue enforcement notice in relation to demolition of listed building in conservation area (section 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
26. Powers to acquire a listed building in need of repair and to serve a repairs notice (section 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
27. Power to apply for an injunction in relation to a listed building (section 44A of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
28. Power to execute urgent works (section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
29. Power to authorise stopping up or diversion of highway (section 247 of the Town and Country Planning Act 1990).
30. Power to authorise stopping-up or diversion of footpath, bridleway or restricted byway (section 257 of the Town and Country Planning Act 1990).
31. Power to extinguish public rights of way over land held for planning purposes (Section 258 of the Town and Country Planning Act 1990).
32. Powers relating to the protection of important hedgerows (the Hedgerows Regulations 1997 (S.I. 1997/1160)).

33. Powers relating to the preservation of trees (sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1990 (S.I. 1999/1892)).
34. Powers relating to complaints about high hedges (Part 8 of the Anti-Social Behaviour Act 2003).
35. Power to include modifications in other orders (Section 53A of the Wildlife and Countryside Act 1981).
36. Power to revoke or modify planning permission (Section 97 Town and Country Planning Act 1990).

### **Code of Conduct**

The committee must follow the council's Code of Conduct for Councillors and Officers dealing with development control and other appropriate planning matters (in part 5 of the constitution).

## **PUBLIC SAFETY AND PROTECTION COMMITTEE**

### **Terms of Reference**

#### **Functions**

Full Council has delegated to the Public Safety and Protection Committee all functions relating to public safety and protection as specified in Regulation 2 and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) under the following provisions and any related secondary legislation:

1. Power to license hackney carriages and private hire vehicles ((a) as to hackney carriages, the Town Police Clauses Act 1847 (10 and 11 Vict. c. 89) as extended by section 171 of the Public Health Act 1875 (38 and 39 Vict. c. 55) and section 15 of the Transport Act 1985 (c.67); and sections 47, 57, 58, 60 and 79 of the Local Government (Misc. Provisions) Act 1976 (c.57); (b) as to private hire vehicles, sections 48, 57, 68, 60 and 79 of the Local Government (Misc. Provisions) Act 1976).
2. Power to license drivers of hackney carriages and private hire vehicles (sections 51, 53, 54, 59, 61 and 79 of the Local Government (Misc. Provisions) Act 1976).
3. Power to license operators of hackney carriages and private hire vehicles (sections 55 to 58, 62 and 79 of the Local Government (Misc. Provisions) Act 1976).

4. Power to register pool promoters (Schedule 2 to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3(3)(c) of the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions Order 2006 (S.I. 2006/3272) (“the Gambling Order”)).
5. Power to grant track betting licences (Schedule 3 to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3(3) of the Gambling Order Act 2005).
6. Power to license inter-track betting schemes (Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3(3) of the Gambling Order Act 2005).
7. Power to grant permits in respect of premises with amusement machines (Schedule 9 to the Gaming Act 1968 as saved for certain purposes by article 3(3) of the Gambling Order Act 2005).
8. Power to register societies wishing to promote lotteries (Schedule 1 to the Lotteries and Amusements Act 1976 as saved for certain purposes by article 3(3) of the Gambling Order Act 2005).
9. Power to grant permits in respect of premises where amusements with prizes are provided (Schedule 3 to the Lotteries and Amusements Act 1976 as saved for certain purposes by article 3(3) of the Gambling Order Act 2005).
10. Power to issue cinema and cinema club licences (section 1 of the Cinema Act 1985 (c.13)).
11. Power to issue theatre licences (sections 12 to 14 of the Theatres Act 1968 (c.54)).
12. Power to issue entertainments licences (section 12 of the Children and Young Persons Act 1933 (c.12), section 52 of, and Schedule 12 to, the London Government Act 1963 (c.33), section 79 of the Licensing Act 1964 (c.26), sections 1 to 5 and 7 of, and Entertainment (Licensing) Act 1967 (c.19) and Part I of, and Schedules 1 and 2 to, the Local Government (Misc. Provisions) Act 1982).
13. Power to license performances of hypnotism (the Hypnotism Act 1952 (c.46)).
14. Power to license pleasure boats and pleasure vessels (Section 94 of the Public Health Acts Amendment Act 1907 (c.53)).
15. Power to license market and street trading (Part III of, and Schedule 4 to, the Local Government (Misc. Provisions) Act 1982, Part III of the London Local Authorities Act 1990 (c.viii) and section 6 of the London Authorities Act 1994 (c.xii)).
16. Power to license scrap yards (section 1 of the Scrap Metal Dealers Act 1964 (c.69)).
17. Power to license persons to collect for charitable and other causes (section 5 of the Police, Factories etc. (Misc. Provisions) Act 1916 (c.31) and s.2 of the House to House Collections Act 1939 (c.44)).

18. Power to sanction use of parts of buildings for storage of celluloid (section 1 of the Celluloid and Cinematograph Film Act 1922 (c.25)).
19. Power to register motor salvage operations (Part 1 of the Vehicles (Crime) Act 2001).
20. Power to issue licences authorising the use of land as a caravan site ("site licences") (Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c.62)).
21. Power to license the use of moveable dwellings and camping sites (section 269(1) of the Public Health Act 1936) (c.49).
22. Power to enforce offences to the display of no-smoking signs (section 6(5) of the Health Act 2006 ("the 2006 Act")).
23. Power to enforce offences relating to smoking in smoke-free places (section 7(4) of the 2006 Act).
24. Power to enforce offences of failing to prevent smoking in smoke-free places (section 8(4) of the 2006 Act).
25. Power to enforce offences of failing to prevent smoking in smoke-free places (section 8(4) of the 2006 Act).
26. Power to transfer enforcement functions to another enforcement authority (Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368)).
27. Power to license premises for acupuncture, tattooing, ear piercing and electrolysis (section 13 to 17 of the Local Government (Misc. Provisions) Act 1982).
28. Powers to license night cafes and take-away food shops (section 2 of the Late Night Refreshment Houses Act 1969 (c.53), Part II of the London Local Authorities Act 1990 and section 5 of the London Local Authorities Act 1994).
29. Duty to keep list of persons entitled to sell non-medicinal poisons (sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972 (c.66)).
30. Power to license dealers in game and the killing and selling of game) (sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831 (c.32); s.2 to 16 of the Game Licensing Act 1860 (c.90), s.4 of the Customs and Inland Revenue Act 1883 (c.10), section 12(3) and 27 of the Local Government Act 1874 (c.73), and section 213 of the Local Government Act 1972 (c.70)).
31. Power to register and license premises for the preparation of food (section 19 of the Food Safety Act 1990 (c.16)).
32. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds (the Safety of Sports Grounds Act 1975 (c.52)).
33. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds (Part III of the Fire Safety and Safety of Places of Sports Act 1987 (c.27)).
34. Power to issue fire certificates (section 5 of the Fire Precautions Act 1971 (c.40)).

35. Power to license premises for the breeding of dogs (section 1 of the Breeding of Dogs Act 1973 (c.60) and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c.11)).
36. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business (section 1 of the Pet Animals Act 1951 (c.35); section 1 of Animal Boarding Establishments Act 1963 (c.43); the Riding Establishments Acts 1964 and 1970 (1964 c70 and 1970 c70); s.1 of the Breeding of Dogs Act 1973 (c.60) and subsection 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999).
37. Power to register animal trainers and exhibitors (section 1 of the Performing Animals (Regulation) Act 1925 (c.38)).
38. Power to license zoos (section 1 of the Zoo Licensing Act 1981 (c.37)).
39. Power to license dangerous wild animals (section 1 of the Dangerous Wild Animals Act 1976 (c.38)).
40. Power to license knackers' yards (Section 4 of the Slaughterhouses Act 1974 see also the Animal By-Products Order 1999 (S.I. 1999/646)).
41. Power to license the employment of children (Part II – Children and Young Persons Act 1933 (c.33), bylaws made under that Part and Part II – Children and Young Persons Act 1963 (c.37)).
42. Power to grant consent for the operation of loudspeaker (Schedule 2 to the Noise and Statutory Nuisance Act 1993 (c.40)).
43. Power to license agencies for the supply of nurses (Section 2 of the Nurses Agencies Act 1957 (c.16)).
44. Power to issue licences for the movement of pigs (Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11)).
45. Power to license the sale of pigs (Article 13 of the Pigs (Records, Identification and Movement) Order 1995).
46. Power to license collecting centres for the movement of pigs (Article 14 of the Pigs (Records, Identification and Movement) Order 1995).
47. Power to issue a licence to move cattle from a market (Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871)).
48. Power to approve meat product premises (Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (S.I. 1994/3082).
49. Power to approve premises for the production of minced meat or meat preparations (Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 (S.I. 1995/3205)).
50. Power to approve dairy establishments (regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995 (S.I. 1995/1086)).
51. Power to approve egg product establishments (regulation 5 of the Egg Products Regulations 1993 (S.I. 1993/1520)).

52. Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods (Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995 (S.I. 1995/1763)).
53. Power to approve fish products premises (regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I. 1998/994)).
54. Power to approve dispatch or purification centres (regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998).
55. Power to register fishing vessels on board which shrimps or molluscs are cooked (Regulation 21 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998).
56. Power to approve factory vessels and fishery product establishments (regulation 24 of the Food Safety (Fishery Products and Shellfish) (Hygiene) Regulations 1998).
57. Power to register auction and wholesale markets (regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998).
58. Duty to keep register of food business premises (regulation 5 of the Food Premises (Registration) Regulations 1991 (S.I. 1991/2828)).
59. Power to register food business premises (regulation 9 of the Food Premises (Registration) Regulations 1991).
60. Functions under any of the "relevant statutory provisions" within the meaning of Part 1 (health, safety and welfare in connection with work and control of dangerous substances) of the Health and Safety at Work Act 1974 to the extent that those functions are discharged otherwise than in the authority's capacity as an employer (part 1 of the Health and Safety at Work etc. Act 1974 (c.37)).
61. Functions relating to sea fisheries (sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966 (c.38)).
62. Power to make closing order with respect to take-away food shops (Section 4 of the Local Government (Misc. Provisions) Act 1982 (c.30)).

## **PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE**

### **Terms of Reference**

#### **Functions**

Full Council has delegated to the Public Rights of Way and Greens Committee all functions relating to public rights of way and greens are as specified in Regulation 2 and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) under the following provisions and any related secondary legislation:

#### **List A – Non-Executive Functions Delegated to the Business Change Directorate**

1. Functions relating to the registration of common land and town or village greens (part 1 Commons Act 2006 and the Commons Registration (England) Regulations 2008);
2. Power to register variation of rights of common (Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471));
3. Power to apply for an enforcement order against unlawful works on common land (Section 41 Commons Act 2006);
4. Power to protect unclaimed common land and unclaimed town and village greens against unlawful interference (Section 45(2)(a) Commons Act 2006); and
5. Power to institute proceedings for offences in respect of unclaimed registered common land or unclaimed town or village greens (Section 45(2)(b) of the Commons Act 2006).

#### **List B – Non-Executive Functions Delegated to the Neighbourhoods and Place Directorates**

6. Power to grant a street works license (section 50 of the New Roads and Street Works Act 1991 (c.22)).
7. Power to permit deposit of builder's skip on highway (section 139 of the Highways Act 1980 (c.66) ("the Act")).
8. Duty to publish notice in respect of proposal to grant permission under section 115E of the Act (section 115E of the Act).
9. Power to license planning, retention and maintenance of trees etc. in part of highway (Section 142 of the Act).
10. Power to authorise erection of stiles etc. on footpaths or bridleways (section 147 of the Act).
11. Power to license works in relation to buildings etc. which obstruct the highway (Section 169 of the Act).



12. Power to consent to temporary deposits or excavations in streets (section 171 of the Act).
13. Power to dispense with obligation to erect hoarding or fence (section 172 of the Act).
14. Power to restrict the placing of rails, beams etc over highways (section 178 of the Act).
15. Power to consent to construction of cellars etc. under street (section 179 of the Act).
16. Power to consent to the making of openings into cellars etc. under streets and pavement lights and ventilators (section 180 of the Act).
17. Power to create footpath, bridleway or restricted byway by agreement (section 25 of the Act (C.66)).
18. Power to create footpaths, bridleways and restricted byways (section 26 of the Act).
19. Duty to keep register of information with respect to maps, statements and declarations (section 31A of the Act).
20. Power to stop up footpaths, bridleways and restricted byways (section 118 of the Act).
21. Power to determine application for public path extinguishment order (sections 118ZA and 118C(2) of the Act).
22. Power to make a rail crossing extinguishment order (section 118A of the Act).
23. Power to make special extinguishment order (section 118B of the Act).
24. Power to divert footpaths, bridleways and restricted byways (section 119 of the Act).
25. Power to make a public path diversion order (sections 119ZA and 119C(4) of the Act).
26. Power to make a rail crossing diversion order (section 119A of the Act).
27. Power to make a special diversion order (section 119B of the Act).
28. Power to require applicant for order to enter into agreement (section 119C(3) of the Act).
29. Power to make an SSSI diversion order (section 119D of the Act).
30. Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Act (section 121B of the Act).
31. Power to decline to determine certain applications (section 121C of the Act).
32. Duty to assert and protect the rights of the public to use and enjoyment of highways (section 130 of the Act).
33. Duty to serve notice of proposed action in relation to obstruction (section 115E of the Act).

34. Power to apply for variation of order under section 130B of the Act (section 130B(7) of the Act).
35. Power to authorise temporary disturbance of surface of footpath, bridleway or restricted byway (section 135 of the Act).
36. Power temporarily divert footpath, bridleway or restricted byway (section 135A of the Act).
37. Functions relating to the making good of damage and the removal of obstructions (section 135B of the Act).
38. Powers relating to the removal of things so deposited on highways as to be a nuisance (section 149 of the Act).
39. Power to extinguish certain public rights of way (section 32 of the Acquisition of Land Act 1981 (c.67)).
40. Duty to keep definitive map and statement under review (section 53 of the Wildlife and Countryside Act 1981 (c.69)).
41. Power to include modifications in other orders (section 53A of the Wildlife and Countryside Act 1981).
42. Duty to keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981 (section 53B of the Wildlife and Countryside Act 1981).
43. Power to prepare map and statement (section 57A of the Wildlife and Countryside Act 1981).
44. Power to designate footpath as cycle track (section 3 of the Cycle Tracks Act 1984 (c.38)).
45. Power to extinguish public right of way over land acquired for clearance (section 294 of the Housing Act 1981 (c.68)).
46. Power to enter into agreements with respect to means of access (section 35 of the Countryside and Rights of Way Act 2000 (c.37)).
47. Power to provide access to absence of agreement (section 37 of the Countryside and Rights of Way Act 2000).
48. Power to make limestone pavement order (section 34(2) of the Wildlife and Countryside Act 1981 (c.69)).
49. Power to discharge and acquire from other authorities, functions relating to Definitive Map Modification Orders and Public Path Orders (section 101 of the Local Government Act 1972).

## C. OTHER COMMITTEES

### HUMAN RESOURCES COMMITTEE

#### Terms of Reference

##### Overview

To discharge functions relating to the terms and conditions of staff, including procedures for the dismissal of staff and determining the pay and grading, other terms and conditions, disciplinary action, dismissal and early retirement of 1<sup>st</sup> and 2<sup>nd</sup> tier posts and post holders except for matters relating to staff selection, appeals or complaints or any other matters that fall within the remit of the Appeals Committee or Selection Committee. In accordance with the Officer Employment Procedure rules, to act as the Investigating and Disciplinary Committee in relation to the Chief Executive and Chief Officers.

Note: at least one member of the committee must be a member of the Executive.

##### Functions

Full Council has delegated the following functions to the Human Resources Committee to the extent specified above.

- To recommend to full Council, the annual pay policy statement including any amendments that may need to be made to the policy statement from time to time.
- To recommend to Council, any changes to the pay and grading arrangements for first and second tier officers.
- To approve changes to the pay and grading of first and second tier officers within the policy framework approved by full Council (the pay policy statement).
- Determining the pay and grading arrangements of all other employees.
- Power to determine the terms and conditions on which employees hold office (including procedures for their dismissal) (section 112 Local Government Act 1972).
- Functions relating to local government pensions etc. (Regulations under section 7, 12 or 24 of the Superannuation Act 1972).

- Responsibility for agreeing the salary of the Senior Coroner for the Avon coroner area.
- To hear and determine matters of discipline in relation to the Chief Executive and Chief Officers, including taking action up to and including dismissal. Where dismissal is the outcome in relation to the Head of Paid Service, the Monitoring Officer or the Chief Financial (Section 151) Officer, the committee will recommend this to the Full Council for a final decision.

Note: in these circumstances, an Independent Panel will be established as a committee of the Council appointed under section 102(4) of the Local Government Act 1972 comprising only independent persons (at least two) appointed under Section 28(7) of the Localism Act 2011 for the following purpose:

“To review the decision of the Investigating and Disciplinary Committee to dismiss the Head of Paid Service, the Monitoring Officer and the Chief Financial (Section 151) Officer, and to provide comments on this recommendation to the Full Council for a final decision.”

## **APPEALS COMMITTEE**

### **Terms of Reference**

#### **Overview**

Consider appeals from council staff where an HR policy gives them a right of appeal at Member level as well as other appeals referred to it by the Head of Paid Service, Service Director with responsibility for HR or where it is a non-HR appeal, then by the relevant Strategic Director.

The Committee is also the member level forum which takes decisions on renewal and discharge of guardianship under the provisions of the Mental Health Act 1983.

#### **Functions**

Full Council has delegated the following functions to the Appeals Committee:

- Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal) (section 112 Local Government Act 1972) insofar as the function relates to the consideration and determination of employee appeals.
- The determination of an appeal against any decision made by or on behalf of the authority except where there is another council committee to deal with appeals of the particular type.

## **SELECTION COMMITTEE**

### **Terms of Reference**

#### **Overview**

In accordance with the Officer Employment Rules (OER) –

- (a) Interviewing applicants for chief officer and deputy chief officer posts;

- (b) The appointment of chief officers and deputy chief officers, except those officers designated as follows:-
- Head of Paid Service
  - Chief Finance Officer
  - Monitoring Officer
  - Returning Officer for local government elections
  - Electoral Registration Officer;
- (c) In the case of appointments designated in (b) above, recommendation to full Council in accordance with OER4.

### Functions

Full Council has delegated the following functions to the Selection Committee to the extent specified above:

1. Duty to designate officer as the monitoring officer (s.5(1) Local Government and Housing Act 1989);
2. Duty to appoint and electoral registration officer (s.8(2) Representation of the People Act 1983);
3. Duty to appoint a returning officer for local government elections (s.35) Representation of the People Act 1983);
4. Duty to designate officer as the head of the authority's paid service (s.4(1) Local Government and Housing Act 1989).
5. The power to appoint chief officers and deputy chief officers and to determine the terms and conditions on which they hold office (section 112 of the Local Government Act 1972).

### AUDIT COMMITTEE

#### Terms of Reference

##### Overview

The Audit Committee is a non-statutory committee independent of the council's executive and scrutiny and it reports to full council. Its purpose is to provide independent assurance to the council in relation to:-

1. The effectiveness of the council's governance arrangements, risk management framework and internal control environment including overseeing:
  - risk management strategies
  - anti-fraud arrangements
  - whistle-blowing strategies
  - internal and external audit activity;
2. The effectiveness of the council's financial and non-financial performance to the extent it affects exposure to risk and poor internal control;
3. The annual governance statement;
4. The review and approval of the annual statement of accounts, confirming the appropriate accounting policies have been followed, including the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

### Functions

Full Council has delegated the following functions to the Audit Committee:

- Duty to review and consider the effectiveness of the council's system of internal control and approve the annual governance statement; review and consider the effectiveness of the Council's internal audit; consider and approve the statement of accounts (Accounts and Audit (England) Regulations 2011 S.I. 2011/817).
- Assist the council in its statutory duty to promote and maintain high standards of conduct by members and co-opted members.
- Advise the council on the adoption or revision of the Code of Conduct for Members and any associated codes or protocols and monitoring their operation.
- Advise and training members on the Code of Conduct.
- Consider and determine any allegations of misconduct by a member of council (which could be a breach of the code of conduct) if the Monitoring Officer requests assistance.

## Appendix A

- Consider nominations made by Group Whips for the conferring of the title “Honorary Alderman” and “Honorary Alderwoman” and making recommendations to Full Council thereon.
- To monitor the register of members interests.
- To advise and assist as required in the selection of the Lord Mayor.
- To grant dispensations pursuant to section 33(2) of the Localism Act 2011 where:
  - (i) without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter.
  - (ii) that the authority considers that the dispensation is in the interests of persons living in its area; or
  - (iii) where the Committee considers that it is otherwise appropriate to grant a dispensation.
- Responsibility for ensuring effective scrutiny of the Councils’ Treasury Management Strategy and policies.
- Involvement in the appointment/dismissal of the Chief Internal Auditor.
- Involvement in monitoring the performance of the Chief Internal Auditor.



### PERFORMANCE MANAGEMENT PANEL

#### Membership

- The Mayor and the Party Group Leaders (who are the voting members)
- The Chief Executive and their trade union or professional association representative
- Two representatives of the Local Government Association and the Service Director HR (or nominee)

#### Terms of Reference

##### Overview

At least annually to appraise the performance of the Chief Executive and to determine what if any level of performance-related pay should be awarded to the postholder. Bearing in mind that the Chief Executive is required to serve the whole Council (ie, the Elected Mayor and all councillors), to clarify what the Chief Executive is expected to achieve and to identify any continuing professional development needs which, if met, would maintain a high level of performance. This process does not prevent the review of progress and performance or the application of capability/conduct procedures as necessary.

##### Functions

The Full Council has delegated the following functions to the Panel:

- (a) To agree what the Chief Executive should personally achieve and identify required standards of performance in order to deliver the Council's key objectives, priorities and targets, and appropriate timescales for their achievement. Objectives should be agreed with the Chief Executive and should be relevant, challenging and achievable.
- (b) To identify positive achievements over the previous period.
- (c) To identify and where possible resolve factors preventing the achievement of agreed goals.
- (d) To identify the professional development necessary to equip the Chief Executive with the requisite skills to meet the Council's objectives and changing priorities.
- (e) Having considered the available evidence and the views of the Local Government Association representative and other parties, to determine what if any level of performance-related pay should be awarded to the Chief Executive.
- (f) To hold regular monitoring meetings at which targets can be reviewed as necessary.

**D. STATUTORY COMMITTEES**

**LICENSING COMMITTEE**

**Overview**

Functions relating to licensing and gambling as set out below.

**Licensing Act 2003** (“the 2003 Act”)

1. All those matters relating to the discharge of licensing functions that are referred to that committee by virtue of section 7(1) of the 2003 Act;
2. Functions which, in exercise of its powers under section 7(3) of the 2003 Act, full council has arranged for the Licensing Committee to discharge, namely:
  - (a) Power to grant permission for provision etc of services, amenities, recreation and refreshment facilities on highway and related powers (sections 115E, 115F and 115K of the Highways Act 1980);
  - (b) Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption (section 13(2) of the Criminal Justice and Police Act 2001 (c.16));
  - (c) Power to make a revoke an order designating a locality as an alcohol disorder zone (section 16 Violent Crime Reduction Act 2006);
  - (d) The Council’s functions under the third schedule to the Local Government (Miscellaneous Provisions) Act 1982 (as amended); and
  - (e) Powers to make and cancel closure notices; make applications for closure orders; issue certificates of termination of closure orders; defend applications for the discharge of closure orders; appeal against the refusal to make closure orders; enforce closure orders or for offences in connection with closure orders (sections 19 to 28 of the Criminal Justice and Police Act 2001);

### **Gambling Act 2005** (“the 2005 Act”)

3. All of those functions under Part 8 of the 2005 Act that are delegated to the Committee by virtue of section 154 of the 2005 Act;
4. Functions, which, in exercise of its powers under section 101 of the Local Government Act 1972, the full council has arranged for the Licensing Committee to discharge, namely:
  - (a) Duty to comply with requirements to provide information to the Gambling Commission (s.29 of the 2005 Act);
  - (b) Functions relating to exchange of information (s.30 of the 2005 Act);
  - (c) Functions relating to occasional use notice (s.39 of the 2005 Act);
  - (d) Power to designate officer of a licensing authority as an Authorised Person for a purpose relating to premises (section 304 of the 2005 Act);
  - (e) Power to make order disapplying section 279 or 282(1) of the Act in relation to specified premises (s.284 of the 2005 Act);
  - (f) Power to exchange information (section 350 of the 2005 Act);
  - (g) Power to institute criminal proceedings (section 346 of the 2005 Act);
  - (h) Functions relating to the determination of fees for premises licenses (the Gambling (Premises License Fees) (England and Wales) Regulations 2007 (S.I. 2007/479));
  - (i) Functions relating to the registration and regulation of small society lotteries (Part 5 of Sch 11 to the 2005 Act).

### **Code of Conduct**

The Constitution contains a supplement to the members' code of conduct which deals with the role of elected members in relation to licensing committee hearings (see part 5 of the constitution).

### **HEALTH AND WELLBEING BOARD**

#### **Terms of Reference**

##### ***Arrangements***

The Membership of the Board shall be as follows:

- a. at least one elected member, nominated by the elected mayor or executive leader,
- b. the director of adult social services,
- c. the director of children's services
- d. the director of public health,
- e. a representative of the Local Healthwatch,
- f. a representative of each relevant clinical commissioning group, and
- g. such other persons, or their representatives as deemed appropriate by a majority of the Board,
- h. The political requirements set out in sections 15, 16 and schedule 1 of the Local Government and Housing Act 1989 shall not apply to the membership of the Board.

##### ***Schedule of meetings***

The Board will formally meet with such frequency as it shall determine.

##### ***Voting***

1. The Health and Wellbeing Board will be a committee of the Local Authority.
2. All members of the Health and Wellbeing Board will have voting rights.

3. If the Health and Wellbeing Board appoints additional members to the Board, the Board itself will determine whether those members will have voting rights.

### Functions

The function of the board will be to:

- promote joint commissioning and encourage integrated working between commissioners of NHS, public health and social care services to improve the health and wellbeing of the local community;
- encourage integrated working between commissioners of NHS, public health and social care services to improve the health and wellbeing of the local community;
- encourage organisations who arrange for the provision of any health-related services to work closely with the Health and Wellbeing Board to improve the health and wellbeing of the local community;
- encourage organisations who arrange for the provision of services related to the wider determinants of health, such as housing or transport, to work closely with commissioners of health and social care;
- assess the needs of the local community through the Joint Strategic Needs Assessment (JSNA) and consider the need or likely need capable of being met or affected by Local Authority or CCG functions;
- agree and produce a Health and Wellbeing Strategy that addresses need and which commissioners will need to take into account when they develop plans for health care, social care and public health;
- involve Healthwatch and people living and working in Bristol in the preparation of the JSNA and JHWS;
- have regard to the NHS Commissioning Board mandate and statutory guidance in the preparation of the JSNA and JHWS;
- consider the suitability of current Pharmaceutical Needs Assessments (PNA) and prepare a statement of the needs for pharmaceutical services of the local population;

- agree and produce a PNA as required;
- provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 in connection with the provision of such services;
- be involved in the process of developing and signing-off Clinical Commissioning Group plans;
- assess and provide an opinion on whether the commissioning plan has taken proper account of the JSNA and JHWS;
- assess and provide an opinion on how well the commissioning plan has contributed to the delivery of the JHWS;
- to advise the Mayor in relation to the taking of executive decisions that concern health and wellbeing functions of the local authority.

### ***Code of Conduct and Declarations of interest***

All members of the Board will be bound by the Council's code of conduct for members and will complete the Register of Interests.

## **Appendix B – Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Plans:**

The Council is asked to agree the establishment of a statutory Joint Health Overview and Scrutiny Committee (JHOSC) for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability Transformation Plans (BNSSG STP). The JHOSC's proposed terms of reference and working arrangements (as set out at appendices 1 and 2 respectively) have been considered by the Chairs of the North Somerset and South Gloucestershire Health Overview and Scrutiny Committees and Bristol People Scrutiny Committee. Having considered the relevant regulations, it is the views of the Chairs that a new joint committee be recommended to be established specifically to scrutinise the STP.

### Sustainability and Transformation Plans (STPs)

STPs are a new approach to planning health and care services across England over the next five years. Local organisations are required to work together to develop a shared understanding of the challenges and to agree joint plans for addressing these.

The principal aims are to:

- Improve the health and wellbeing of local people;
- Improve the quality of local health and care services;
- Deliver financial stability and balance throughout the local health care system.

Locally, Bristol, North Somerset and South Gloucestershire (BNSSG) are working together.

### Statutory joint health scrutiny arrangements

Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 requires local authorities to appoint "mandatory" joint committees where a relevant NHS body or health service provider consults more than one local authority's health scrutiny function about "substantial reconfiguration" proposals. In such circumstances, Regulation 30 sets out the following requirements:

- Only the joint committee may respond to the consultation (i.e. rather than each individual local authority responding separately);
- Only the joint committee may exercise the power to require the provision of information by the relevant NHS body or health service provider about the proposal;
- Only the joint committee may exercise the power to require members or employees of the relevant NHS body or health service.

Regulation 30 of the Local Authority also provides that local authorities may appoint a "discretionary" joint health overview and scrutiny committee to carry out all or specified health scrutiny functions. Establishing a joint committee of this kind does not prevent individual Councils from separately scrutinising health issues (ie non mandatory). There are likely to be occasions when consideration of a non-mandatory item of the STP is best dealt with by a discretionary joint committee.

### A flexible approach to joint BNSSG STP scrutiny

The majority of projects which will form part of the BNSSG STP will have significant cross-BNSSG implications and some of these will lead to proposals deemed to be “substantial service reconfigurations”.

A flexible approach is proposed which will enable the JHOSC to fulfil the “mandatory” Regulation 30 requirements and act as a “discretionary” Joint Committee where appropriate for the purpose of maintaining joint oversight of the overarching STP process and the scrutiny of any cross-boundary projects or proposals arising from the process that are not classed as “substantial”.

There will be a small number of specific projects which affect individual BNSSG local authorities without having significant cross-boundary implications elsewhere in BNSSG (such as the North Somerset Programme for Sustainable Services). In such cases, the affected local authority will not be bound by the BNSSG joint arrangements and can choose to scrutinise the project independently or, in the case of a project that may have cross-boundary implications with another neighbouring local authority outside the BNSSG area, may enter separate joint scrutiny arrangements with that neighbouring local authority.

Although the Regulations require that individual local authorities/Health Overview and Scrutiny Committees (within the BNSSG joint arrangement) devolve the specified scrutiny powers to the JHOSC in respect of its mandatory “substantial reconfiguration” function (as set out above), Members should note that this requirement does not extend to the power to refer a “substantial reconfiguration” to the Secretary of State. It is recommended that the power of referral is retained by each individual authority/HOSCs within this joint arrangement.

### Joint Committee Arrangement and Proportionality

The proposal is for a joint committee with a total membership of 21, made up of 7 members from each participating authority. The Local Government Act 2000 requires overview and scrutiny committees must generally reflect the political make-up of the full Council save for when political proportionality is waived. This proposal does not recommend that political proportionality is waived in this instance.

Each council shall make appointments which reflect the political proportionality of its council.

In relation to [South Gloucestershire Council the membership appointments shall be 4 conservatives, 2 Liberal Democrats and 1 Labour]

### RECOMMENDATIONS

- (1) That the Council enters into joint arrangements with [Bristol City Council and North Somerset Council] by establishing a Joint Health Overview and Scrutiny Committee (JHOSC) of 21 members for the purpose of jointly scrutinising:-



- (a) the Bristol, North Somerset and South Gloucestershire (BNSSG) Sustainability and Transformation Plan (STP); and
  - (b) specific projects and proposals emerging from the STP which have cross-boundary implications (within the BNSSG);
- (2) that the Council agrees the appointment of 7 members on the basis of political proportionality of 4:2:1
- (3) the Council approves the terms of reference of the JHOSC as set out in Appendix 1 of this report;
- (4) that the Council notes the working arrangements of the JHOSC as set out in Appendix 2, and agree that the working arrangements may be further negotiated and finalised by officers without the need to return to Council unless significant changes are proposed; and
- (5) that the Council retains the power of referral to the Secretary of State of any proposed “substantial variation” of service.

**Sustainability and Transformation Plan Joint Health Scrutiny  
Committee: Terms of Reference**

- 1) Bristol City Council, North Somerset Council and South Gloucestershire Council to collectively review and scrutinise the Bristol, North Somerset and South Gloucestershire (BNSSG) Sustainability and Transformation Plan (STP) pursuant to Regulation 30 of the Local Authority ( Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.(Regulation 30)
- 2) To collectively review and scrutinise any proposals within the STP that are a substantial development of the health service or the substantial variation of such service where more than one local authority is consulted by the relevant NHS body pursuant to Regulation 30
- 3) To collectively consider whether a specific proposal within the STP that's is not a substantial development or variation is only relevant for one authority and therefore should be referred to that authority's Health Scrutiny Committee for scrutiny.
- 4) In the event that a participating council considers that it may wish to consider a discretionary matter itself rather than have it dealt with by the joint committee it shall give notice to the other participating councils and the joint committee shall then not take any decision on the discretionary matter (other than a decision which would not affect the council giving notice) until after the next full Council meeting of the council giving notice in order that the council giving notice may have the opportunity to withdraw delegation of powers in respect of that discretionary matter.
- 5) To require the relevant local NHS body to provide information about the proposals under consideration and where appropriate to require the attendance of a representative of the NHS body to answer such questions as appear to it to be necessary for the discharge of its function
- 6) Make reports or recommendations to the relevant health bodies as appropriate and/or the constituent authorities' respective Overview and Scrutiny committees or equivalent
- 7) Each Council to retain the power of referral to the Secretary of State of any proposed "substantial variation" of service, so this power is not delegated to the JHOSC.

**Sustainability and Transformation Plan Joint Health Scrutiny Committee  
Working Arrangements**

**Membership**

The joint committee will be a committee established by Bristol City Council, North Somerset Council and South Gloucestershire Council in accordance with section 101(5) of the Local Government 1972

The membership shall be made up of 7 members from each participating council with each council's membership being politically proportionate. Non-executive councillors will make up the membership.

Substitutions will be accepted if a councillor is not able to attend a meeting of the committee.

Co-options are a possibility and can be considered by the joint committee at its first meeting. The Guidance suggests that co-opting people is one method of ensuring involvement of key stakeholders with an interest in, or knowledge of, the issue being scrutinised. This is already a power of overview and scrutiny committees by virtue of the Local Government Act 2000. However, the Guidance also recommends other ways of involving stakeholders by, for example, giving evidence or by acting as advisers to the committee. A chair (from the host authority) will be appointed by the joint committee at each meeting

**Quorum**

The quorum for meetings will be 7 members from at least two local Authorities. During any meeting if the chair counts the number of councillors present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If a date is not fixed, the remaining business will be considered at the next meeting.

**Reporting Arrangements**

Prior to the agenda for each meeting of the joint committee being finalised officers will convene a planning / pre-meeting with the Chairs of the individual HOSC's or their nominee

In terms of the joint committee's conclusions and recommendations the Guidance says that one report has to be produced on behalf of the joint committee. The final report shall reflect the views of all local authority

committees involved in the joint committee. it will aim to be a consensual report. In the event there is a failure to agree a consensual report the report will record any minority report recommendations. At least 7 members of the joint committee must support the inclusion of any separate minority report in the committee's final report. Any report produced by the committee will be submitted to the local authority's council meetings for information.

The NHS body or bodies receiving the report must respond in writing to any requests for responses to the report or recommendations, within 28 days of receipt of the request.

In the event that any Council exercises its right to refer a substantial variation to the Secretary of State, it shall notify the other Councils of the action it has taken.

### **Financial and Administrative Support**

Meetings will usually be led by each authority alternately. The Chair of the lead authority will Chair the meeting.

- The lead authority will be responsible for the servicing of the committee. Suitable officer resources (Legal, Democratic) will be provided to meet the requirements of the committee. This includes (but is not restricted to):
  - providing legal advice
  - liaising with health colleagues ahead of the meeting
  - updating action sheets from previous meetings
  - producing agenda papers and co-ordinating public forum
  - creating formal minutes and actions sheets
- If there is a specific reason, for example, if the issue to be discussed relates to a proposal specific to the locality of one Local Authority area the meeting venue can change to a more appropriate venue. The lead Local Authority would remain the same, even if the venue changes.
- Any changes to the host authority must be agreed by the committee

### **Petitions Statements and questions**

- Members of the public and members of council, provided they give notice in writing or by electronic mail to the proper officer of the host authority (and include their name and address and details of the wording of the petition, and in the case of a statement or question a copy of the submission), by no later than 12 noon of the working day

before the meeting, may present a petition, submit a statement or ask a question at meetings of the committee. The petition, statement or question must relate to the terms of reference and role and responsibility of the committee.

- The total time allowed for dealing with petitions, statements and questions at each meeting is thirty minutes.
- Statements and written questions, provided they are of reasonable length, will be copied and circulated to all members and will be made available to the public at the meeting
- There will be no debate in relation to any petitions, statements and questions raised at the meeting but the committee will resolve;
  - (1) “that the petition / statement be noted”; or
  - (2) if the content relates to a matter on the agenda for the meeting: “that the contents of the petition / statement be considered when the item is debated”;
- **Response to Questions**

Questions will be directed to the appropriate Director or organisation to provide a written response directly to the questioner. Appropriately redacted copies of responses will be published on the host authority’s website within 28 days.
- Details of the questions and answers will be included on the following agenda.



# Full Council

23 May 2017

**Report of:** Shahzia Daya, Service Director – Legal and Democratic Services

**Title:** **Allocation of committee seats and appointment of members to serve on committees**

**Ward:** Citywide

**Officer Presenting Report:** Not applicable

**Contact Telephone Number:** 0117 92 22413

## Recommendation

To review and approve the allocation of seats on committees in accordance with the statutory requirements concerning political balance and to approve the appointment of members (and substitutes) to serve on committees (full recommendations set out in the body of the report).

## Summary

As per above recommendation.

## The significant issues in the report are:

As set out in the main report.

Note: the Overview and Scrutiny Management Board is currently undertaking a review of the Council's scrutiny arrangements. The recommendations from that review, including recommendations on a future scrutiny structure, will be reported to a future Full Council meeting. In the interim, the proposal in this report is that the current scrutiny structure is retained, pending the outcome of the scrutiny review.

Arrangements are also subject to any changes that may arise from the current constitutional review.



## Policy

1. Not applicable

## Consultation

2. **Internal**  
Party group whips
3. **External**  
Not applicable

## Context

4. See proposal below.

## Background / Proposal

5. Under Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) regulations, the Full Council has a duty to review the representation of different political groups at its annual meeting in respect of bodies to which the section applies (for example, the section applies to the Council's ordinary committees and scrutiny commissions). The section does not apply to the statutory Licensing Committee or the Health and Wellbeing Board and so the political balance rules are not applied to these. Section 15 of the Act provides that, in performing this duty, the Council has a duty to make only such determinations as give effect **so far as reasonably practicable** to the following principles:
  - a. That not all the seats on the body are allocated to the same political group.
  - b. That the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership.
  - c. Subject to a. and b. above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the authority as is borne by the number of members of that group to the membership of the authority; and
  - d. Subject to a. to c. above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the numbers of that group to the membership of the authority.
6. The current membership of political groups represented on the City Council is set out below and the names of the members of each group are set out in Appendix A to this report:

|                        |            |
|------------------------|------------|
| Labour group           | 37 members |
| Conservative group     | 14 members |
| Green group            | 11 members |
| Liberal Democrat group | 8 members  |

7. For the purposes of calculating the entitlement of each political group to seats on committees, it is proposed that the following be included:

- Development Control Committee A
- Development Control Committee B
- Overview and Scrutiny Management Board
- People Scrutiny Commission
- Place Scrutiny Commission
- Resources Scrutiny Commission
- Neighbourhoods Scrutiny Commission
- Public Safety and Protection Committee
- Public Rights of Way and Greens Committee
- Audit Committee
- Human Resources Committee
- Selection Committee

8. Alternative arrangements for appointments to these committees can be approved provided no member of the Council votes against.

9. Subject to the Full Council appointing the committees as per agenda item 8, and agreeing the sizes of committees described below, the total number of seats on committees available is **110**.

10. The number of Council members for each political group expressed as a percentage of the total membership of political groups on the City Council (70) is:

|                  |                                |
|------------------|--------------------------------|
| Labour           | 37 members (% of 70) = 52.86 % |
| Conservative     | 14 members (% of 70) = 20.00 % |
| Green            | 11 members (% of 70) = 15.71 % |
| Liberal Democrat | 8 members (% of 70) = 11.43 %  |

11. Following discussion with the party group whips, the following committee sizes are proposed:



|  | <b>LAB</b> | <b>CON</b> | <b>GREEN</b> | <b>LD</b> |
|--|------------|------------|--------------|-----------|
| <b>11 member committees:</b>               |            |            |              |           |
| Development Control Committee A            | 6          | 2          | 2            | 1         |
| Development Control Committee B            | 6          | 2          | 2            | 1         |
| Overview and Scrutiny Management Board     | 6          | 2          | 2            | 1         |
| People Scrutiny Commission                 | 6          | 2          | 2            | 1         |
| Place Scrutiny Commission                  | 6          | 2          | 2            | 1         |
| <b>9 member committees:</b>                |            |            |              |           |
| Resources Scrutiny Commission              | 5          | 2          | 1            | 1         |
| Neighbourhoods Scrutiny Commission         | 5          | 2          | 1            | 1         |
| Public Safety and Protection Committee     | 5          | 2          | 1            | 1         |
| <b>7 member committees:</b>                |            |            |              |           |
| Public Rights of Way and Greens Committee  | 4          | 1          | 1            | 1         |
| Audit Committee                            | 4          | 1          | 1            | 1         |
| Human Resources Committee                  | 4          | 1          | 1            | 1         |
| Selection Committee                        | 4          | 1          | 1            | 1         |
| <b>TOTAL = 110 seats, breaking down as</b> | <b>61</b>  | <b>20</b>  | <b>17</b>    | <b>12</b> |

|   | <b>LAB</b> | <b>CON</b> | <b>GREEN</b> | <b>LD</b> |
|---|------------|------------|--------------|-----------|
| The % which this distribution gives each party: | 55.45%     | 18.18%     | 15.45%       | 10.91%    |
| As compared with the entitlement %:             | 52.86%     | 20.00%     | 15.71%       | 11.43%    |

- 12.** These totals reflect, as far as is reasonably practicable, the aggregate entitlement of the political groups to committee seats.

**Appointments to which political balance do not apply:**

**13. Licensing Committee:**

- The Licensing Committee is established under Section 6 of the Licensing Act 2003, and is a standing committee. Any vacancies must be filled by the Full Council – this task is non-delegable, i.e. only Full Council can decide who will serve on the committee.
- Members continue to serve on the committee until they either resign or are removed by the Full Council.
- The appointment of members is a licensing function and, as such, equalities law applies to it, and the Full Council should fill vacancies having due regard to equalities tests and considerations.
- The Council must have a licensing committee of between 10-15 members. As one of the largest licensing authorities in the country, Bristol has established a 15 member committee.

- The list of members currently serving on the committee is as follows:
  - Councillor Abraham
  - Councillor B Clark
  - Councillor Clough
  - Councillor Combley
  - Councillor C Davies
  - Councillor Eddy
  - Councillor Jama
  - Councillor Khan
  - Councillor Langley
  - Councillor Massey
  - Councillor O'Rourke
  - Councillor Pearce
  - Councillor Whittle
  - Councillor Windows
  - One vacancy
- The Full Council is asked to enquire if there have been any resignations from the committee since the date of publication of this report, and having done so, to invite nominations to fill any vacancies on the committee. In confirming appointments to the committee, the Full Council is asked to take full account of equalities duties and considerations, and to note that the political balance rules do not apply.
- Any vacancies that subsequently arise will need to be referred to the next meeting of the Full Council to ensure they are filled promptly, and to ensure that the Council retains the 15 member committee it has previously resolved to establish.

**14. Appeals Committee:** The Full Council is asked to determine the membership of the Appeals Committee. It is proposed that, as in previous years, membership of the Appeals Committee should comprise any 3 members of the Council subject to them having first received the necessary training and not having been involved in the original decision which is the subject of an appeal.

**15. Joint Scrutiny:** The following is proposed:

- **Joint Health Scrutiny Committee** (interim continuing body; 3 members from Bristol, one from each of the largest 3 political groups).
- **Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Plans:** 7 members from Bristol (4 Labour; 1 Conservative; 1 Green; 1 Liberal Democrat).
- **West of England Joint Scrutiny Committee** (interim continuing body; 3 members from Bristol, one from each of the largest 3 political groups).
- **West of England Combined Authority Overview and Scrutiny Committee and Audit Committee;** 6 members (3 Labour; 2 Conservative, 1 Green) in relation to the West of England Combined Authority Overview and Scrutiny Committee and Audit Committee as per the proposals agreed at Full Council on 14 March 2017.

- 16. Performance management panel:** The membership of the Performance Management Panel was agreed at Full Council on 14 March 2017, and is as follows:
- The Mayor and Party Group Leaders (who are the voting members).
  - The Chief Executive and their trade union or professional association representative.
  - Two representatives of the Local Government Association and the Service Director – HR (or nominee).
- 17. Health and Wellbeing Board:** The membership of the Health and Wellbeing Board is prescribed in section 194 of the 2012 Act, as follows:
- a. At least one councillor from the authority nominated by the elected Mayor. The elected Mayor may themselves be a member of the board instead of or in addition to the person they nominate.
  - b. The director of adult social services for the local authority.
  - c. The director of children’s services for the local authority.
  - d. The director of public health for the local authority.
  - e. A representative of the local Healthwatch organisation for the area of the local authority.
  - f. A representative of each relevant clinical commissioning group.
  - g. Such other persons, or representatives of such other persons, as the local authority thinks appropriate.

It is proposed that the Mayor should be appointed to the Board, together with other Cabinet members whose portfolio is relevant to the Board’s remit. Currently, this would be the:

- \* Deputy Mayor – Communities (portfolio includes public health)
- \* Cabinet Member for Children & Young People
- \* Cabinet Member for Adult Social Care

### **Substitutes**

- 18.** In addition to deciding the allocation of seats to political groups, the Full Council is also required to decide substitution arrangements.

### **Other Options Considered**

Not applicable.

### **Risk Assessment**

Not applicable.

### **Public Sector Equality Duties**

Not applicable.

### **Legal and Resource Implications**

#### **Legal**

As indicated in the report, in determining the allocation of committee seats and the

appointment of members to serve on committees, the Full Council must comply with the requirements of Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) regulations.

(Legal advice provided by Shahzia Daya, Service Director – Legal and Democratic Services)

**Financial**

**(a) Revenue**

Not applicable.

**(b) Capital**

Not applicable.

**Land**

Not applicable.

**Personnel**

Not applicable.

**RECOMMENDATION:**

Noting that arrangements are subject to any changes that may arise from the current scrutiny and constitutional reviews, Full Council is recommended to:

1. Approve the allocation of committee seats as set out above.
2. Enquire if there have been any resignations from the Licensing Committee since the date of publication of this report, and having done so invite nominations to fill all of the vacancies on the committee. At the time of publication of this report, there is 1 vacancy. In confirming appointments to the committee, the Full Council is asked to take full account of equalities duties and considerations, and to note that the political balance rules do not apply.
3. Agree that all members of Council be appointed to serve on an Appeals Committee comprising of any 3 members of Council, subject to them having first received the necessary training and not having been involved in the original decision which is the subject of an appeal.
4. Agree that the Council be represented (as per paragraph 15) on the following joint scrutiny bodies:
  - Joint Health Scrutiny Committee
  - Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Plans
  - West of England Joint Scrutiny Committee
  - West of England Combined Authority Overview and Scrutiny Committee and Audit Committee.

5. **To note and agree the position in relation to the membership of the Performance Management Panel as per paragraph 16 of the report.**
6. **To note and agree the position in relation to the membership of the Health and Wellbeing Board as per paragraph 17 of the report.**
7. **To agree that named members will be provided for the committee memberships by the party group whips (to be sent to the Monitoring Officer). If named substitutes are not also provided, then any councillor of the relevant group may attend a meeting as a substitute, other than in the case of:**
  - **a Development Control Committee, where the substitute must be a member of another Development Control Committee (and be appropriately trained).**
  - **any scrutiny commission, where the substitute may not be a member of the executive.**

**Appendices:**

Appendix A – Councillor membership of political groups

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:** None

## **Appendix A – Councillor membership of political groups**

### **Labour Group (37)**

Councillor Donald Alexander

Councillor Nicola Beech

Councillor Nicola Bowden-Jones

Councillor Harriet Bradley

Councillor Mark Bradshaw

Councillor Mark Brain

Councillor Fabian Breckels

Councillor Tom Brook

Councillor Craig Cheney

Councillor Barry Clark

Councillor Asher Craig

Councillor Mike Davies

Councillor Kye Dudd

Councillor Helen Godwin

Councillor Paul Goggin

Councillor Margaret Hickman

Councillor Helen Holland

Councillor Chris Jackson

Councillor Hibaq Jama

Councillor Carole Johnson

Councillor Anna Keen

Councillor Mahmadur Khan

Councillor Gill Kirk

Councillor Mike Langley

Councillor Jeff Lovell

Councillor Brenda Massey

Councillor Olly Mead

Councillor Steve Pearce

Councillor Celia Phipps

Councillor Ruth Pickersgill

Councillor Jo Sergeant

Councillor Afzal Shah

Councillor Paul Smith

Councillor Mhairi Threlfall

Councillor Estella Tincknell

Councillor Jon Wellington

Councillor Lucy Whittle

**Conservative Group (14)**

Councillor Peter Abraham

Councillor Lesley Alexander

Councillor Tony Carey

Councillor Richard Eddy

Councillor Geoff Gollop

Councillor John Goulandris

Councillor Claire Hiscott

Councillor Steve Jones

Councillor Matt Melias

Councillor Graham Morris

Councillor Kevin Quartley

Councillor Liz Radford

Councillor Mark Weston

Councillor Chris Windows

**Green Group (11)**

Councillor Charlie Bolton

Councillor Stephen Clarke

Councillor Eleanor Combley

Councillor Carla Denyer

Councillor Jude English

Councillor Martin Fodor

Councillor Fi Hance

Councillor Cleo Lake

Councillor Paula O'Rourke

Councillor Clive Stevens

Councillor Jerome Thomas

**Liberal Democrat Group (8)**

Councillor Clare Campion-Smith

Councillor Jos Clark

Councillor Harriet Clough

Councillor Chris Davies

Councillor Gary Hopkins

Councillor Tim Kent

Councillor Anthony Negus

Councillor Mark Wright



# Full Council

23 May 2017



**Report of:** Shahzia Daya, Service Director – Legal & Democratic Services

**Title:** **Appointment of Statutory Scrutiny Officer**

**Ward:** Citywide

**Recommendation:**

**That Andrea Dell, Service Manager - Democratic Engagement, be appointed as the authority's Statutory Scrutiny Officer.**



**Context / proposal:**

The City Council must appoint named individuals to particular roles, including the role of Statutory Scrutiny Officer.

**Statutory Scrutiny Officer**

Originally introduced by the Local Democracy, Economic Development and Construction Act 2009, the requirement for English councils to designate a “statutory” scrutiny officer can now be found at s9FB of the Local Government Act 2000 (the legislative framework having been altered by the Localism Act 2011).

The statutory scrutiny officer’s role is (these points paraphrase the precise wording of the Act, which can be found at <http://www.legislation.gov.uk/ukpga/2011/20/schedule/2>):

- To promote the role of the authority’s overview and scrutiny committee(s);
- To provide support to the authority’s overview and scrutiny function and to local councillors;
- To provide guidance to members and officers of the council in relation to overview and scrutiny functions.

The statutory scrutiny officer cannot be the authority’s Head of Paid Service, the Monitoring Officer or the Chief Finance Officer.

The Full Council is asked to appoint Andrea Dell, Service Manager - Democratic Engagement as the authority’s Statutory Scrutiny Officer.

**Legal and Resource Implications**

**Legal Implications**

Failure to ensure appointment to these roles could lead to the Council being challenged for failing to meet its statutory duties.

*Shahzia Daya*

*Service Director: Legal and Democratic Services*

**Financial Implications**

None.

**Appendices**

None.

# Full Council

23 May 2017



**Report of:** Shahzia Daya, Service Director – Legal & Democratic Services

**Title:** **Dates and times of Full Council meetings 2017-18**

**Ward:** Citywide

**Officer Presenting Report:** Not applicable

**Contact Telephone Number:** 0117 92 22413

## **Recommendation**

To approve the dates and times of Full Council meetings in 2017/18.

## **Summary**

To approve the dates and times of Full Council meetings in 2017/18.

## **The significant issues in the report are:**

Not applicable.



**Policy**

1. Not applicable.

**Consultation**

2. **Internal**  
Party group whips.
3. **External**  
Not applicable.

**Context**

4. Not applicable.

**Proposal**

5. The proposed Full Council meeting times / dates are:
  - 6.00 pm, Tuesday 27 June 2017 (Extraordinary Full Council to: receive the Mayor’s annual statement to Full Council, and party group leader responses to the Mayor’s statement; receive the annual report from the Youth Council; consider proposed constitutional changes; consider current petitions that have reached the signature threshold for a Full Council debate; discuss the Bundred report and response)
  - 4.00 pm, Tuesday 18 July 2017
  - 4.00 pm, Tuesday 12 September 2017
  - 4.00 pm, Tuesday 14 November 2017
  - 4.00 pm, Tuesday 12 December 2017
  - 4.00 pm, Monday 15 January 2018
  - 2.00 pm, Tuesday 20 February 2018 (budget Council meeting)
  - 4.00 pm, Tuesday 20 March 2018
  
  - 2.00 pm Tuesday 22 May 2018 (suggested date for 2018-19 annual Council meeting).

**Other Options Considered**

Not applicable.

**Risk Assessment**

Not applicable.

**Public Sector Equality Duties**

Not applicable.

**Legal and Resource Implications**

Not applicable.

**Appendices:**

None

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:** None